

Gotham Energy Brokers Inc. 40 Park Way Harrington Park, NJ 07640 845-398-4560

Certified Mail
Return Receipt Requested

August 6, 2008

The Hon. Shira Scheindlin United States District Court Judge United States Courthouse 500 Pearl Street, Room 1620 New York, NY 10007-1312

Re: In Re Amaranth Natural Gas Commodities Litigation,

07Civ6377

Dear Judge Scheindlin:

I am writing on behalf of defendant Gotham Energy Brokers Inc. to ask that the firm be included in the motion to dismiss that the other floor broker defendants in the case have made. The filing of the motion has only recently come to our attention.

As stated in Gotham's letter to Your Honor on February 29, 2008 and to the plaintiffs' lawyers, Gotham had no knowledge of any unusual or wrongful conduct by its customer Amaranth and it faithfully executed the orders given it. I have read the memorandum in support of the motion to dismiss made by the other floor broker defendants and adopt it on behalf of Gotham.

Referdat's request is granted. The other floor brokers'
Menorandon of Law will also be considered on

Sincerely yours,

behalfs of Gothan Energy Brotus.

Gotham Energy Brokers Inc.

Patel: New York New York Ayurt 8, 2008

Barry McAuley



February 29, 2008

Via Certified Mail – Return Receipt Requested

Filed 08/11/2008

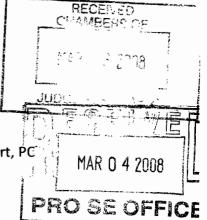
Re: United States District Court Southern District of New York **Amaranth Natural Gas Commodities Litigation** Master File No. 07-CV-6377 (SAS)

Judge Shira A. Scheindlin **United States District Court** Southern District of New York 500 Pearl Street, Room 1620 New York, NY 10007

Louis F. Burke, Esq. Louis F. Burke, PC 460 Park Avenue 21st Floor New York, NY 10022 Christopher Lovell, Esq. Lovell, Stewart, Halebian LLP 500 Fifth Avenue New York, NY 10010

Vincent Briganti, Esq. Lowey, Dannenberg, Cohen & Hart, PC White Plains Plaza, Suite 509 One North Broadway

White Plains, NY 10601-2310



This is a response to the Summons in a Civil Action, Case number 07-cv-6377 (SAS), naming Gotham Energy Brokers, Inc. as a Floor Broker Defendant in the Amaranth Natural Gas Commodities Litigation.

We are unable to secure an attorney in this matter because Gotham Energy Brokers, Inc. ceased doing any and all business as of July 31, 2007 and does not have any funds for an attorney. A more detailed explanation follows as part of this letter. While Gotham is not represented by an attorney, we wanted to communicate with you and acknowledge receiving the Summons.

Gotham Energy Brokers Inc. denies any and all allegations with regards to the Summons it recently received in the above referenced Amaranth matter. Gotham feels it is wrongly included in the above Summons and should be removed as a Floor Broker Defendant in this matter.

Gotham has been named as aiding and abetting Amaranth's supposed manipulation of the natural gas market. Gotham never had any knowledge at any time of Amaranth's motives, intentions or positions regarding the natural gas market; never had the ability to monitor the Amaranth positions; and never discussed any positions or trading strategies with Amaranth. Amaranth's overall positions were monitored by JP Morgan and NYMEX. No one from JP Morgan or NYMEX ever contacted Gotham regarding Amaranth's position limits, trading instructions or order placement.

At no time did Gotham ever discuss any orders placed by or orders executed on behalf of Amaranth or any other Gotham customer, with any individual or company. No other floor broker or entity ever discussed with Gotham any orders they had executed or received on behalf of Amaranth or any other customer. Amaranth never asked, made any statement or inferred any remarks referencing "smashing the close" at any time with any order placed with Gotham.

In regards to the order and phone call placed by Amaranth to Gotham on April 26, 2006 (see paragraphs 140 through 142 of the Summons), Amaranth placed an order to sell 544 May contracts in the last 8 minutes of trading. The summons states "there was no legitimate explanation or business justification for this trading behavior." The order in and of itself is not an illegal order and when placed there may have been several reasons as to why an order like this may have been placed. It is not the responsibility of Gotham to question any customer's trading strategy, provide financial advice or speculate as to why any customer is placing any order. Gotham's only responsibility to the customer is to confidentially execute their floor brokerage orders to the best of our ability. Gotham believes that we executed this order to the best of our ability and the fill we got is reflective upon the average volume and pricing for the last eight minutes of trading that day. The 544 contracts would be a small percentage of the total volume traded during the closing range of the largely traded and volatile natural gas market and would have a minimal effect toward the settlement of that day.

Gotham was incorporated in January 2002 to execute floor brokerage business on NYMEX. Gotham's relationship with Amaranth began in November 2005 and ended in September 2006. Gotham was a successful and ongoing concern before having Amaranth as a customer and after Amaranth ceased doing business with Gotham. Although Amaranth was a large customer, it was by no means Gotham's sole source of income.

Gotham is no longer doing any kind of business. On or about April 30, 2007, Gotham ceased taking brokerage orders on the floor of the NYMEX due to the advent of NYMEX's electronic trading platform and the increase in all electronic trading platforms of commodities. As of July 31, 2007, Gotham no longer had any employees. Gotham is in the process of finalizing and dissolving the corporation. The 2007 taxes are the only outstanding matter at this time and the corporation will be dissolved shortly after filing of the return. Gotham's funds are limited to the expected accountant's fee which will be paid after the filing of the 2007 tax returns. Gotham's books and records are available for your inspection.

Gotham has never had any sanctions, fines or issues with the CFTC or NYMEX in any matter whatsoever. Whenever NYMEX compliance or CFTC regulators needed documentation in any matter whatsoever, Gotham always provided all documentation as requested at Gotham's expense. When asked to provide materials relating to the Amaranth matter, Gotham cooperated fully and in a timely fashion.

We respectfully request that Gotham Energy Brokers Inc. be removed as a Floor Broker Defendant. Please send all correspondence to the address listed below.

Sincerely,

Gotham Energy Brokers, Inc.

Barry McAuley

Gotham Energy Brokers Inc. c/o Barry McAuley 40 Park Wav Harrington Park, NJ 07640 Daytime Phone: 845-398-4560